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Attorney for Petitioner, David Robert Thomson

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

DAVID ROBERT THOMSON,

Petitioner,

vs.

BRIAN WILLIAMS, et al. ,

Respondents.

CASE NO. 2:17-cv-02932-RBF-EJY

**STIPULATION AND ORDER TO ALLOW PETITIONER DAVID THOMSON TO
FILE A THIRD AMENDED PETITION FOR WRIT OF HABEAS CORPUS**

IT IS HEREBY STIPULATED by and between Petitioner, David Robert Thomson, by and through his attorney, Paola M. Armeni, Esq., of the law firm of Clark Hill, and Respondents, by and through Aaron Ford, Nevada Attorney General, and Natasha M. Gebrael, Deputy Attorney General of the State Nevada, that counsel for Petitioner can file a Third Amended Petition for Writ of Habeas Corpus.

IT IS FURTHER STIPULATED, by the parties, that Petitioner David Thomson's Third Amended Petition for Writ of Habeas Corpus shall be filed 90 days from the filing of the Order allowing Mr. Thomson to file such a Petition.

This Stipulation is entered into for the following reasons:

1. Mr. Thomson's former counsel filed a Second Amended Petition Writ of Habeas Corpus. Current counsel for Petitioner substituted in as attorneys of record for Mr. Thomson on April 4, 2019. After reviewing the case, current counsel determined that a Third Amended

1 Petition was appropriate.

2 2. Counsel for the Respondent has no objection to Petitioner filing a Third Amended
3 Petition; however, Respondent's stipulation to allow Mr. Thomson to file a Third Amended
4 Petition does not signify an implied finding of a basis for tolling any applicable period of
5 limitations or the waiver of any other procedural defense. Petitioner at all times remains
6 responsible for calculating any limitation periods and understands that, in allowing the Third
7 Petition, this Court makes no finding or representation that the petition, any amendments thereto,
8 and/or any claims contained therein are not subject to dismissal as untimely.

9 3. This stipulation is not filed for the purpose of delay, but in the interests of justice, in
10 order to ensure that Mr. Thomson has effective and thorough representation in his federal habeas
11 action.

12 DATED this 1st day of November, 2019.

13 CLARK HILL

14
15 /s/ PAOLA M. ARMENI

16 PAOLA M. ARMENI

17 Nevada Bar No. 8357

18 Tel: (702) 862-8300

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20 Attorneys for Petitioner

21 David Robert Thomson

22 AARON FORD

23 Nevada Attorney General

24 /s/ NATASHA M. GTEBRAEL

25 NATASHA M. GEBRAEL

26 Deputy Attorney General

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26 **ORDER**


27 Upon stipulation of the parties, and good cause appearing therefor,

28 **IT IS HEREBY ORDERED** that counsel for the Petitioner, David Robert Thomson is

1 hereby granted leave to file a Third Amended Petition for Writ of Habeas Corpus.

2 **IT IS FURTHER ORDERED** that Petitioner's Third Amended Petition of Writ of
3 Habeas shall be filed ninety (90) days from the filing of the Order allowing Mr. Thomson to file
4 such a Petition.

5 **DATED** this 4th day of November, 2019.

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9 RICHARD F. BOULWARE, II
10 UNITED STATES DISTRICT JUDGE
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